

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CASE NO. 1:22-cv-11421-ADB

JOSE MARIA DeCASTRO,
a/k/a CHILLE DeCASTRO,
a/k/a DELETE LAWZ,
Plaintiff,

v.

JOSHUA ABRAMS a/k/a
ACCOUNTABILITY FOR ALL, KATE
PETER a/k/a MASSHOLE
TROLL MAFIA,
Defendants.

**JOSHUA ABRAMS a/k/a ACCOUNTABILITY FOR ALL'S ANSWER, JURY DEMAND,
AFFIRMATIVE DEFENSES AND COUNTERCLAIMS**

I. ANSWER TO COMPLAINT

NOW COMES defendant Joshua Abrams a/k/a Accountability for All ("Abrams") who files this answer to the plaintiff Jose Maria DeCastro a/k/a Chille DeCastro, a/k/a Delete Laws ("DeCastro") as follows:

Abrams denies the unnumbered paragraph at the beginning of the Complaint.

I. JURISDICTION AND VENUE

1. Denied.
2. Denied.

II. PARTIES

3. Denied.
4. Admitted.

III. FACTS

5. Abrams admits that one of Plaintiff's Youtube channels is named "Delete Lawz."

6. Abrams admits that his Youtube channel is named "Accountability for All," but otherwise denies the allegation including those statements made in the footnote.

7. Abrams lacks sufficient knowledge to admit or deny this allegation.

8. Denied.

9. Denied.

10. Abrams lacks sufficient knowledge to admit or deny this allegation.

11. Abrams denies this allegation, including all subparts (i.e., paragraphs 11.1-11.11).

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Denied.

19. Denied.

IV. CLAIMS

Count One – Defamation – Joshua Abrams

20. Abrams denies this allegation, including all subparts (i.e., paragraphs 20.1-20.11).

21. Denied.

22. Denied.

23. Denied.

24. Denied

25. Denied.

26. Denied.

Count Two – Defamation – Kate Peter

27. Denied.

28. Denied.

29. Denied.

30. Denied.

31. Denied.

32. Denied.

33. Denied.

Counts Three (Joshua Abrams) and Four (Kate Peter) –

Intentional Infliction of Emotional Distress

34. Denied.

35. Denied.

36. Denied.

37. Denied.

Counts Five (Joshua Abrams) and Six (Kate Peter) – Punitive Damages

38. Denied.

V. PRAYER FOR RELIEF

39. Denied.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

WHEREFORE, defendant Joshua Abrams a/k/a Accountability for All respectfully requests that this Honorable Court dismiss this action with prejudice, and award Abrams his costs, attorneys' fees and expenses for having to defend against same.

II. JURY DEMAND

Defendant Joshua Abrams a/k/a Accountability for All hereby demands a trial by jury on all claims so triable.

III. AFFIRMATIVE DEFENSES

1. Plaintiff's claims fail to state a claim for which relief can be granted.
2. Plaintiff's claims are barred by laches and unclean hands.
3. Plaintiff's claims are barred by the doctrines of waiver, consent and estoppel.
4. Plaintiff's claims are barred by the statute of limitations.
5. Plaintiff's claims fail because the alleged defamatory statements made by Defendants were true or substantially true.
6. Plaintiff's claims fail because the alleged defamatory statements made by Defendants were protected opinion.
7. Plaintiff's claims fail because Defendants were privileged to make all of the allegedly defamatory statements.
8. Plaintiff's claims fail because Plaintiff has suffered no damages.
9. Plaintiff's claims fail because the statements made were not made with actual malice.

Abrams hereby gives notice of his intent to assert such other or further defenses as may become available or apparent during discovery and as may become apparent as this case

progresses. Abrams, therefore, hereby reserves the right to amend his answer and to assert any such defenses by appropriate filing or motion.

IV. COUNTERCLAIM

10. Defendant/Plaintiff-in-Counterclaim Joshua Abrams is an individual residing in Stoneham, Massachusetts.

11. Plaintiff/Defendant-in-Counterclaim Jose Maria DeCastro is an individual who, upon information and belief resides in Santa Monica, California.

12. This Court has jurisdiction pursuant to 28 U.S.C., § 1332, diversity of citizenship. The amount in controversy exceeds \$75,000.00. The Court also has supplemental jurisdiction over these claims pursuant to 28 U.S.C., 1367.

13. Venue in this Court is proper pursuant to 28 U.S.C., § 1391.

14. DeCastro has made several defamatory statements about Abrams. This includes statements accusing Abrams of being a rapist, an attempted rapist, accusing Abrams of going to prison for raping his girlfriend, and beating up his father. A representative, non-exclusive sampling of these statements include the following:

- a. <https://youtu.be/1-ledrLYZA0> (1:09:59)
- b. <https://youtu.be/GEYwMXY2tIM> (46:00)
- c. <https://youtu.be/ZTfWHjZXWnw> (9:00)
- d. <https://youtu.be/ZTfWHjZXWnw> (1:01:31)

15. DeCastro has made other statements on various other websites, chats and webcasts, including those statements made through his YouTube channels “Delete Laws” and his backup channel called “ChilisBackup.” However, the “ChilisBackup” channel was inexplicably

deleted approximately one hour after the Court held a hearing in this case on Monday October 24, 2022, wherein the Court ordered all parties to preserve all materials.

16. These statements were all false.

17. DeCastro made these statements with knowledge of its falsity, or he had a reckless disregard of its truth or falsity.

18. DeCastro made these statements with actual malice.

19. These statements were designed to hold Abrams up to scorn, hatred, ridicule or contempt in the minds of considerable and respectable segments of the community.

20. DeCastro intended on causing financial harm to Abrams and has done so by way of reduced membership and viewership of his YouTube channels, all of which is attributable to DeCastro's statements. This decline has caused a reduction in financial compensation for the work performed.

COUNT ONE: Defamation

21. Abrams reasserts paragraphs the previous paragraphs as if fully restated herein.

22. DeCastro has published several false and defamatory statements about Abrams, including those statements identified above.

23. These statements were false and DeCastro knew of its falsity or had a reckless disregard of its truth or falsity.

24. DeCastro made these statements with actual malice.

25. Abrams suffered financial harm, including loss revenues, as well as emotional distress and anguish as a result of these defamatory statements.

WHEREFORE, Joshua Abrams requests that the Honorable Court:

A. Enter judgment in his favor on the counterclaim.

- B. Award actual damages, and such punitive or multiple damages as allowed by law.
- C. Award Abrams reasonable attorneys' fees, litigation expenses and costs.
- D. Grant such further relief that this Court deems just and proper.

Respectfully Submitted,

/s/ Joshua N. Garick, Esq.

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*Counsel for Joshua Abrams a/k/a
Accountability for All*

Dated: November 7, 2022

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and I caused the foregoing document to be served via email upon the following *pro se* litigant and have further mailed him a copy via the U.S. postal service:

Jose Maria DeCastro (Pro Se)
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iamalaskan@gmail.com

/s/ Joshua N. Garick
Joshua N. Garick (BBO #674603)

Dated: November 7, 2022